

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 18-1849

OBASI INVESTMENT LTD; JINGLI SHAO; ROBIN
JOACHIM DARTELL; LIXIN WU; JASON HELTON;
SEAN CARITHERS, individually and on behalf of all others
similarly situated

v.

TIBET PHARMACEUTICALS, INC; HONG YU;
TAYLOR Z. GUO; SABRINA REN;
WENBO CHEN; YOUHANG PEN; SOLOMON CHEN;
ANDERSON & STRUDWICK INC;
STERNE AGEE GROUP INC; HAYDEN ZOU;
L. MCCARTHY DOWNS, III; ACQUAVELLA CHIARELLI
SHUSTER BERKOWER & CO., L.L.P.,

HAYDEN ZOU; L. MCCARTHY DOWNS, III
Appellants

On Appeal from the United States District Court
for the District of New Jersey
(D.C. No. 2-14-cv-03620)
District Judge: Hon. John M. Vazquez

Argued February 12, 2019
Before: HARDIMAN, SCIRICA, and COWEN, *Circuit Judges*.

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the District of New Jersey and was argued on February 12, 2019. On consideration whereof, it is now hereby

ORDERED and ADJUDGED that the order of the United States District Court for the District of New Jersey entered May 10, 2017 be and the same is hereby REVERSED as to liability under 15 U.S.C. § 77k(a)(3) against Appellants Hayden Zou and L. McCarthy Downs, III, and REMANDED to the District Court with instructions to vacate its order as to the same and enter judgment in favor of Zou and Downs. All of the above in accordance with the Opinion of this Court.

Costs taxed in favor of Appellants.

ATTEST:

s/Patricia S. Dodszuweit
Clerk

Dated: July 23, 2019